

Exhibit HH

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

JAMES BLAKES, STEVEN CLARK,
HERMAN DECKYS, BRADLEY HUNT,
PHILLIPE PORTER, ERNEST ROBERTS,
JR., LARRY WILLIAMS, for themselves and
on behalf of similarly situated others,

Plaintiffs,

v.

ILLINOIS BELL TELEPHONE COMPANY
d/b/a AT&T Illinois,

Defendant.

Case No. 11-cv-336

Hon. Judge Manning

Magistrate Judge Kim

Declaration of Russell Biba

I, Russell Biba, hereby submit this Declaration and state as follows:

1. I am currently employed by AT&T Services, Inc. as an Area Manager in the Digital Electronics Group and work out of 1215 Carl Court in Wauconda, Illinois. I have been in this position since 2007.

2. Among other jobs, I previously worked as a First-Level Manager at the Roscoe garage, where I supervised a number of cable splicers, including Jeff Palenske ("Palenske") and Robert Schilling ("Schilling"). I provided a previous declaration in connection with this lawsuit. I understand that certain allegations have since been raised in this lawsuit by Palenske and Rentschler. This declaration is meant to primarily address those allegations.

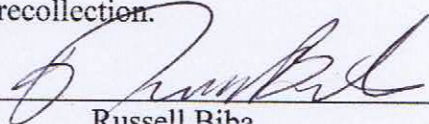
3. I do not remember specifically having a conversation with Palenske regarding working before the start of his shift or working through lunch. I am not aware of Palenske ever working outside of his shift or during a lunch break without being paid, nor has he ever told me that happened. I do know that there are times when we ask the technicians to work overtime because of customer premises issues. For example, we may have a maintenance window where

we would have to do a cut of cables and the job is supposed to start at midnight and continue until 3 a.m. The technicians are scheduled to work these shifts approximately a week in advance. Other than these off shift types of work, technicians are expected to start their days at 7 a.m. and not before.

4. Technicians are also expected to take a thirty minute lunch every day. I have on occasion received phone calls from technicians asking me if they can work through lunch so that they can leave half an hour early. Depending on the circumstances, such as if there is an emergency or special circumstances, I will approve the request and allow the technician to work through lunch.

5. I do not remember seeing Robert Schilling eating at the end of the day while doing his timesheets. He has never told me that he has completed timesheets after his shift ended and I have never seen that happen. I also cannot recall having any conversations about work matters with Schilling before his shift started.

I declare under penalty of perjury, pursuant to 28 U.S.C. § 1746, that the foregoing is true and correct to the best of my knowledge and recollection.


Russell Biba

DB2/23791661.2